

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 6 February 2007. Responsive to the Office Action, Claims 1 and 4 have been amended, and Claims 5 and 6 have been canceled. Upon entry of this Amendment, Claims 1-4 will be pending.

In the Office Action, the Examiner rejected Claims 1-6 under 35 U.S.C. § 102(b) as being anticipated by the Warren reference (U.S. Patent Application Publication #2002/0197961), although no prima facie basis for rejection of Claim 3 was made. Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Warren in view of the Chen reference (U.S. Patent #5,793,464).

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to briefly review the structure of the invention of the subject Patent Application, as now claimed. The present invention is directed to wireless communication glasses including a pair of glasses having a lens frame and a temple connected with the lens frame. The temple has a receiving space formed on a side thereof, a holding slot formed at the end of the receiving space, and a screw hole formed in the holding slot. The wireless communication glasses further include a wireless communication transceiver having a data cable connecting to a mobile phone for receiving/transmitting signals to/from the mobile phone. The glasses include an

adjustable handle disposed within the receiving space and is pivotally coupled to a side of the temple. The adjustable handle has a fixed portion formed at an end thereof and received in the holding slot of the temple. The fixed portion has a hole in correspondence with the screw hole of the temple so that the adjustable handle is secured to the temple by inserting a screw through the hole of the fixed portion and the screw hole of the temple. The glasses include a wireless transceiver module disposed in the adjustable handle for receiving/transmitting signals to/from the wireless communication transceiver. The wireless communication glasses further include an earphone receiving the signals from the wireless transceiver module and assembled on the temple of the glasses to bring the earphone into proximity with an ear of a user and a microphone transmitting the signals to the wireless transceiver module assembled within the adjustable handle. The wireless communication glasses also includes a battery disposed in the adjustable handle. The adjustable handle has a charging hole for electrically connecting with the battery.

It is respectfully submitted that the Warren reference is directed to an eyeglass frame having a communication feature by incorporation of a microphone, a transmitter, a speaker, a receiver and a power source therein. The reference discloses the communication elements being disposed in various portions of the frame including the lens holder portion and temple, but nowhere discloses the temple having a receiving space formed on a side thereof and an adjustable handle disposed within the receiving

space and being pivotally coupled to a side of the temple, wherein the wireless transceiver module disposed in the adjustable handle, the microphone transmitting the signals to the wireless transceiver module and assembled on the adjustable handle, and the battery is disposed in the adjustable handle, the adjustable handle having a charging hole for electrically connecting with the battery, as now claimed.

Therefore, as Warren fails to disclose each and every element of the invention of the subject Patent Application, as now defined in Claim 1, it cannot anticipate that invention. Further, as Warren does not suggest such a combination of elements, it cannot make obvious that invention either.

Still further, Warren fails to disclose or suggest a microphone mounted on an end of the adjustable handle of the temple so that the microphone approaches proximity to a user's mouth by pivotal displacement of the adjustable handle, as now defined in Claim 4. This feature allows a user's voice to be received at a higher level with respect to background noise, and is not contemplated by the reference.

Thus, since Warren fails to disclose each and every element of the invention of the subject Patent Application, as now defined in Claim 4, it cannot anticipate that invention. Further, as Warren does not suggest such a combination of elements, it cannot make obvious that invention either.

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Application Serial No. 10/759,961
Responsive to Office Action dated 6 February 2007

For all the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

The Director is hereby authorized to pay any deficiencies in fees associated with the filing of this Reply, should there be any, from Deposit Account # 18-2011.

Respectfully submitted,

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06/06/2007
Date